

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

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|-------------------------------|---|----------------------------|
| ELOY LEE RENDON, | § | |
| TDCJ-CID NO. 1492086, | § | |
| Plaintiff, | § | |
| v. | § | CIVIL ACTION NO. H-14-0375 |
| | § | |
| IMPERSONATOR, <i>et al.</i> , | § | |
| | § | |
| Defendants. | § | |

ORDER OF DISMISSAL

Plaintiff filed a civil rights complaint on February 13, 2014, but did not submit the filing fee or a certified copy of his inmate trust fund account statement. The Clerk informed Plaintiff by a Notice of Deficient Pleading of the deficiency and directed him to submit within thirty days the filing fee or a certified copy of his inmate trust fund account. (Docket No. 5.) The Clerk cautioned Plaintiff that failure to comply may result in dismissal of the case. (Id.)

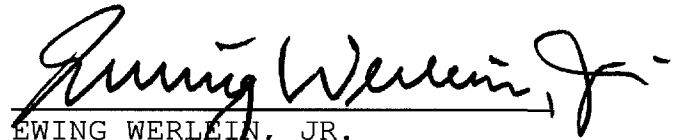
Plaintiff has not submitted the certified copy of his inmate trust fund account statement or the \$400.00 filing fee and the time for submitting the document or fee has expired. Plaintiff's failure to comply shows a lack of due diligence. Therefore, under the inherent powers necessarily vested in a court to manage its own affairs, the Court determines that dismissal for want of prosecution is appropriate. See FED. R. CIV. P. 41(b); Woodson v. Surgitek, Inc., 57 F.3d 1406, 1417 (5th Cir. 1995). Plaintiff is advised, however, that upon a proper showing, relief from this

order may be granted in accordance with Rule 60(b) of the Federal Rules of Civil Procedure.

Accordingly, it is ORDERED that this action be DISMISSED without prejudice for want of prosecution. Plaintiff's application to proceed *in forma pauperis* (Docket No. 2) is DENIED. All other pending motions, if any, are DENIED.

The Clerk shall provide a copy of this order to Plaintiff.

SIGNED at Houston, Texas, on April 11, 2014.


EWING WERLEIN, JR.
UNITED STATES DISTRICT JUDGE